

In the action, the Examiner rejected claims 1 and 3-7 under 35 U.S.C. § 112, second paragraph as being indefinite; rejected claims 1-7 under 35 U.S.C. § 102(b) as being anticipated by Ronan; objected to the specification because of informalities and required correction; and objected to the priority under 35 U.S.C. § 119(b) as failing to provide a correct certified copy of the Japanese application.

A certified copy of the priority document will be filed in due course.

The specification is amended to correct the informalities cited by the Examiner.

Reconsideration and withdrawal of the objection are respectfully requested.

To overcome 35 U.S.C. § 112, second paragraph rejection, Applicant has canceled claims 1-7 without prejudice and new claims 8-13 are presented in their place. Therefore, the § 112, second paragraph, rejection of claims 1 and 3-7 is rendered moot. Reconsideration and withdrawal of the § 112, second paragraph rejection are respectfully requested.

As to the rejection of claims 1-7 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 2,227,864 issued to Ronan, the rejection is respectfully traversed.

According to Ronan, the saw teeth "... are formed throughout their effective cutting length ... with teeth which gradually or progressively increase in size, both as to pitch and depth, from one end to the other of the toothed edge. That is to say, the teeth increase in pitch and depth from the smallest or finest tooth 1 at one end of the blade to the largest tooth 2 at the other end of the blade ..." Figure 1 of the Ronan reference clearly shows the difference in the size of the teeth. Applicant discloses a band saw blade which is formed from a number of set teeth (at least four) having variable pitches, the amounts of set being substantially the same in a bending length.

Thus, the cited reference does not disclose the embodiment wherein the pitches (P1, P2, P3 . . .) in the moving direction (v) among the first left set teeth (3, 19, 31), the second right set teeth (5, 21, 35), the third left set teeth (7, 23, 27) and the fourth right set teeth (9, 17, 39) are variable as shown in Figs. 1A, 5A and 6A.

Furthermore, the reference does not disclose the embodiment, wherein the bending length of the first bending position line (L, L, L2), the second bending position line (L, L, L2), the third bending position line (L, L, L1) and the fourth bending position line (L, L, L1) are substantially the same as shown in Figs. 1B, 5B and 6B.

Moreover, a way in which a cutting method is performed (defined by a plane of moving direction (v) and a cutting direction (w) towards the workpiece) to provide the same shape in a portion from the bending position line to a tip of each set of teeth as shown in Figs. 1B, 2B, 3B, 4B, 5B, and 6B is not disclosed in the applied reference.

Finally, the Ronan reference shows, in Figs. 4-6, that the teeth 3 are bent along a different bending position line than the teeth 3a. Claims 9 and 13 of the present application clearly distinguish over Ronan.

In a view of the above, reconsideration and withdrawal of the § 102(b) rejection are respectfully solicited.

As all grounds of objection and rejection have been addressed and overcome, entry of this Amendment and issuance of a Notice of Allowance of claims 8-13, as now presented, are respectfully solicited.

U.S. Patent Appln. S.N. 09/073,825
By: Susumu TSUJIMOTO

Attorney Docket No.: 0004.634
Page 7

In the event there are any questions relating to this Amendment or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME COMISKY & McCUALEY LLP, Deposit Account No. 23-2185 (000004.00634). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully Submitted,

Susumu TSUJIMOTO

By: Michael D. White
Michael D. White
Reg. No.32,795

BLANK ROME COMISKY & McCUALEY LLP
The Farragut Building
900 - 17th Street, N.W., Ste. 1000
Washington, D.C. 20006
Telephone: (202) 463-7700
Facsimile: (202) 463-6915
MDW/pab